

Can Makkah become *Dār Al-Harb*?

By Imām Hamad Ibn ‘Atīq An-Najdī

May Allāh have mercy upon him

&

Shaykh Abū Basīr At-Tartūsī

May Allāh preserve him

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The *Shaykh*, *Imām* Hamad Ibn ‘Atīq ¹ (may Allāh have mercy upon him), said in his answer to someone who debated him regarding the *Hukm* (ruling) of the People of Makkah [during his time], and what is to be said regarding the city itself... So he replied as follows: ²

سُبْحَانَكَ لَا عِلْمَ لَنَا إِلَّا مَا عَلَّمْتَنَا إِنَّكَ أَنْتَ الْعَلِيمُ الْحَكِيمُ

“Glory be to You (O Allāh), we have no knowledge except what you have taught us. Verily, it is You, the All-Knower, the All-Wise.” ³

The discussion has come to the situation of Makkah – **Is it a Land of *kufr*, or a Land of *Islām*?**

So we say, and the ability is from Allāh:

Indeed Allāh sent Muhammad صلى الله عليه و سلم with the *Tawhīd*, which is the *Dīn* of all the Messengers. And its reality is contained in the testimony of *Lā Ilāha Ill Allāh* – and it is that Allāh should be the One worshipped by the creation, so they do not worship other than Him with any type of the various forms of ‘*Ibādah*. And *Du‘ā* (supplication) is the core of ‘*Ibādah*. ⁴ And also from it (worship) is:

¹ He is the *Al-‘Allāmah*, **Hamad Ibn ‘Alī Ibn ‘Atīq**, from the ‘*Ulamā* of Najd; born in Az-Zulafī in the year 1227 AH, and he was appointed by *Imām* ‘Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh as a *Qādhī* [judge] of several cities; he is the author of many beneficial writings, amongst them *Ibtāl At-Tandīd Sharh Kitāb At-Tawhīd*, and *Sabīl An-Najāt Wal-Fikāk* and many other treatises; he became one of the most well known *Fuqahā*’; some notable names amongst his students are, his son Sa’d, *Imām* ‘Abdullāh Ibn ‘Abdil-Latīf, *Shaykh* Sulaymān Ibn Sahmān, and *Shaykh* Hasan Ibn ‘Abdillāh Ibn Hasan, and many more. He passed away in Al-Aflāj in the year 1301, and left behind ten sons, a number of whom also later became judges. Refer to ‘*Ulamā*’ Najd (1/228), and *Mashāhīr ‘Ulamā’ Najd* (244).

² The main text of *Imām* Hamad Ibn ‘Atīq in this treatise is taken from *Majmū’ Ar-Rasā’il Wal-Masā’il An-Najdiyyah* (1/742-746).

³ *Al-Baqarah*: 32

⁴ This is based upon the weak *Hadīth*, “*Du‘ā* is the core of ‘*Ibādah*”, narrated by At-Tirmithī (3371), and was declared *Dha’īf* by Al-Albānī in *Dha’īf Sunan At-Tirmithī* (3611). But there is an authentic *Hadīth* which is narrated by At-Tirmithī (2895) similarly, “The *Du‘ā*, it is the ‘*Ibādah*.” This was declared *Sahīh* by Al-Albānī in *Sahīh Sunan At-Tirmithī* (2370).

- *Khawf* (fear of Allāh)
- *Rajā'* (hope in Allāh)
- *Tawakkul* (reliance on Allāh)
- *Inābah* (turning to Allāh in repentance)
- *Thab'h* (sacrificing/slaughtering for Allāh)
- *Salāt* (praying to Allāh)

And the types of '*Ibādah* are many, ⁵ and this [singling out Allāh in all forms of '*Ibādah*] is the most supreme fundamental, which is the stipulation for the validity of every action.

And the second fundamental [*Muhammad Rasūlullāh*], is obedience to the Prophet صلى الله عليه و سلم in his commandment, and seeking judgment from him in both, little and important matters, and exalting his legislation and his *Dīn*, and submitting to his rulings in the fundamentals of the *Dīn*, and its branches.

So the first [fundamental] negates *shirk*, and it [*Tawhīd*] is not valid with it [*shirk*].

⁵ Such as *Tahākum* [seeking judgment], regarding which *Shaykh* 'Abdul-'Azīz Ibn Bāz (ra) said: "No one can become a worshipper ('*Ābid*) of Allāh if he submits himself to the *Rabb* in some aspects of his life, and submits himself to the creation in other aspects. Whosoever submits himself to Allāh completely, obeys Him, **and seeks judgment (*Tahākum*) from His revelation – then this is a worshipper of Allāh.** And whosoever submits himself to other than Allāh, **and seeks judgment from other than Allāh's Legislation – then he has indeed worshipped *tāghūt*.** Servitude ('*Ubūdiyyah*) to Allāh alone, and **abandoning '*Ibādah* and *Tahākum* to the *tāghūt*, are from the requirements of the *Shahādah* (testimony) *Lā Ilāha Ill Allāh*.** So O Muslim! From what has preceded, it is clear to you that ruling with the legislation of Allāh (*Tahkīm Shar'illāh*), and seeking judgment from Him (*Tahākum Ilayh*) have been made binding by Allāh and His Messenger, and **these are from the requisites of worshipping Allāh Alone.**" End of quote from Ibn Bāz, refer to *Majmū' Fatāwā Ibn Bāz* (1/77-84). And the evidence for this is in the verse, "**Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgment (in their disputes) to the *tāghūt* (false judges, etc.) while they have been ordered to reject them. But *Shaytān* wishes to lead them far astray.**" [*An-Nisā'*: 60].

And the second [fundamental] negates *bid'ah* (innovative heresies), and it [obedience to the Messenger] is not complete along with the presence of it [*bid'ah*].

So if these two fundamentals are fulfilled – in knowledge, action, and *Da'wah* (calling to it) – and if this was the *Dīn* of the people of the city, no matter which city; and they act upon these two fundamentals, and call to it, and they are allies with those who are upon it, and enemies to those who oppose it: [If they are as such] then they are *Muwahhidūn*.

But if *shirk* is widespread, like supplicating to and calling upon the *Ka'bah*, and the *Maqām* [the stone on which Ibrāhīm (as) stood while he was building the *Ka'bah*] and the *Hatīm* [the Enclosure of Ismā'il, near the *Ka'bah*], and calling upon the Prophets and righteous; and if the derivatives of *shirk* become prevalent, such as adultery, usury, and various types of *thulm* (oppression), and the throwing the *Sunnah* behind the backs, and spreading of heresies and deviations; and *Tahākum* [judgment is sought] from the oppressive leaders ⁶ and the agents of the *mushrikīn*; ⁷ and *Da'wah* becomes to other than the *Qur'ān* and the *Sunnah*- And if this becomes known – regardless of what city it is – then whosoever has even the least knowledge will have no doubt: That those lands will be ruled upon as Lands of *kufr* and *shirk*, especially if they are enemies of the People of *Tawhīd*, and are attempting to demolish the their *Dīn*, and destroy the Lands of *Islām*.

And if you seek the evidence for this ruling, then you will find the entire *Qur'ān* (as the evidence) for it- and the '*Ulamā'* have formed consensus upon it, and it is known by necessity to each and every scholar.

As for the statement of the one who says, "*What you have mentioned of (the presence of) shirk is only amongst the nomads, not from the people of the city.*"

Then it is said to him:

⁶ And what will notify you of *Tahākum* to the *tawāghīt* who are worshiped besides Allāh, who wage war against *Islām* and the Muslims? Such as America and the United Nations?

⁷ And what about the agents, collaborators, "hosts" of the Zionist and Crusader "guests" upon the Peninsula of Muhammad صلى الله عليه و سلم today?

Firstly, this is either due to arrogance, or lack of knowledge of the reality. Because it is well known that the nomads follow the people of those lands [in question] in invoking and calling upon the *Ka'bah*, and the *Maqām* [the stone on which Ibrāhīm (as) stood while he was building the *Ka'bah*] and the *Hatīm* [the Enclosure of Ismā'īl, near the *Ka'bah*] - as is heard by everyone who can hear, and every pure *Muwahhid* (monotheist) knows.

And it is said secondly; if this has been established and become well known, then that is sufficient in the issue, and who is it that has made this distinction in that (saying that it is only the nomads that do this and not the people of the city)?

And how strange! O Allāh! If you [people] hide your *Tawhīd* in their lands, and you are not capable of displaying your *Dīn*, and you conceal your *Salāt* because you know of their enmity against this *Dīn* and hatred of those who adhere to it: Then how can a person who possesses an intellect be in confusion [with regards to the land being a Land of *kufr*]!?

Do you see that if a man from you [*Muwahhidīn*] were to tell those who invoke the *Ka'bah*, or the *Maqām*, or the *Hatīm* and makes *Du'ā'* to the Messenger and the *Sahābah*: "O you! Do not invoke other than Allāh," or, "You are a *mushrik*"; Do you see them allowing you to you? Or plotting against you?

So let the disputer know, that he is not upon the *Tawhīd* of Allāh; and By Allāh, he does not know *Tawhīd*, nor has he implemented the *Dīn* of the Messenger صلى الله عليه وسلم.

Do you see a man that would be amongst them who says to those ones, "Come back to your *Dīn* [of *Islām*]" or, "Demolish these structures which are built upon the graves, and it is not permissible for you to call upon other than Allāh"; Do you see them being satisfied towards him with what Quraysh did to Muhammad صلى الله عليه وسلم [from inflictions and tortures]?

No, By Allāh! No! By Allāh {they exceed in their tortures and atrocities compared to the Quraysh}.⁸

So if indeed this land is a Land of *Islām*- Then due to what thing have you not called them to *Islām*, and command them to demolish the domes (which are on top of the graves), and order them to forsake *shirk* and its derivatives?⁹

So if you have been deceived by them due to their praying *Salāt*, performing *Hajj*, fasting, and giving charity¹⁰ - then ponder over this matter from its very beginning...

And it is that *Tawhīd* had been established in Makkah by the *Da'wah* of Ismā'īl the son of Ibrāhīm *Al-Khalīl*, may peace be upon both of them - and the People of Makkah were upon it for a period of time. And then *shirk* was spread amongst them due to 'Amr Ibn Luhay¹¹, and thus they [the People of Makkah] became *mushrikīn*- and the lands became Lands of *shirk*, even though they still had remnants from the *Dīn* of Ibrāhīm (as)¹², and just as they [continued] performing *Hajj*, giving charity to both the pilgrims and non-pilgrims. And the poem of 'Abdul-Muttalib has already reached you, in which he narrated the Story of the Elephant. And [they had] other than that

⁸ So have you seen that man who says to the people of that land, "Worship Allāh (Alone), and avoid the *tāghūt*", "Do not legislate laws contradictory to the Qur'ān and the *Sunnah*", "Do not assist the Zionists and Crusaders against the Muslims", "Expel them from the Arabian Peninsula" - If someone says this to the people of that land, Do you see them being kind to him? Or are they plotting against him to either kill him, or imprison him, or banish him, or hand him over to the Crusaders?

⁹ Similarly today- If you consider a land to be a Land of *Islām*, then why do you not call its people to establish the Laws of Allāh, why do you not order them to destroy the domes and parliaments, and to abstain from collaboration [*Muthāharah*] and loyalty (*Muwālāt*) to the *kuffār*? Why do you not order them to wage *Jihād* to elevate the *Tawhīd* of Allāh?

¹⁰ Also refer to the treatise by *Shaykh Al-Islām* Muhammad Ibn 'Abdil-Wahhāb (ra) about this doubt and its refutation, "*Kashf Ash-Shubuhāt*".

¹¹ He was the first person after the era of Ibrāhīm (as) to introduce *shirk* into the Arabs. Ibn Is'hāq narrates, "He was the first one to change the *Dīn* of Ibrāhīm, and erected statues."

¹² They still retained some forms of *Ibādah*, such as *Hajj*, *Sadaqah*, *Siyām*, and such. Refer to *Kashf al-Shubuhāt* and its explanations for more knowledge regarding this.

from the remnants (of the *Dīn* of Ibrāhīm) – yet that era did not prevent from their [the People of Makkah's] *takfīr*, nor their hostility.

Rather, that which is apparent to us and to other than us, is that their *shirk* today is worse than it was in that era.

And even before all of this – the people of Earth lived upon *Tawhīd* for ten generations after Ādam (as); until some *Ghuluw* [excesses] appeared within them towards the righteous, so they called upon them along with Allāh; so they disbelieved, and thus Allāh sent Nūh (as) to them, calling to *Tawhīd*. So ponder deeply over what Allāh has narrated regarding them.¹³

And likewise is what was mentioned regarding Hūd (as), that he called them to the pure '*Ibādah* for Allāh– because they did not disagree with him regarding the basis of worshiping Allāh [they merely disagreed regarding the obligation of worshiping Allāh Alone and singling Him out in all forms of '*Ibādah*].

And likewise was Ibrāhīm (as). He called his people to the pure *Tawhīd*, but other than that, his people had already accepted the worshiping of Allāh.

And the conclusion of all this is: That if the supplication to other than Allāh and its derivatives becomes manifest in a land, and its people continue upon it and fight for it, and the hostility towards the People of *Tawhīd* becomes established, and they refuse to submit to the *Dīn* – then how can that land not be ruled upon as a Land of *kufr*? (It is a Land of *kufr*) even if they do not attribute themselves to the People of *kufr* and claim that they are free from them, while they curse them [the People of *Tawhīd*] and they consider those who take it as their *Dīn* as mistaken, and label them as "*Khawārij*" or "*kuffār*". So what about if all of these qualities are combined!

So this is a general *Mas'alah* in completeness.

As for the particular matters – then we say:

¹³ Refer to *Kashf Ash-Shubuhāt* and its explanations.

Indeed the *Qur'ān* and the *Sunnah* have proven that if allegiance comes from a Muslim towards the People of *shirk*, as well as obedience to them [against Muslims], then he commits *riddah* (apostasy) by that from his *Dīn*.

So contemplate over the Saying of Allāh (Most High),

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ

“Verily, those who have turned back (have apostatized) after the guidance has been manifested to them – Shaytān has beautified for them (their false hopes), and (Allāh) prolonged their term (age).” ¹⁴

Along with His Saying,

وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَاِنَّهُ مِنْهُمْ

“And if any amongst you takes them as *Awliyā'*, then surely he is one of them.” ¹⁵

And study carefully the Saying of Allāh (Most High),

فَلَا تَقْعُدُوا مَعَهُمْ حَتَّىٰ يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ إِنَّكُمْ إِذَا مِثْلُهُمْ

“Then do not sit with them, until they engage in a talk other than that; (but if you stayed with them) certainly in that case you would be (just) like them.” ¹⁶

And the evidences for this [form of apostasy] are many.

And do not forget what Allāh mentioned in *Sūrat At-Tawbah*:

لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ

“Make no excuse; you have disbelieved after you had believed.” ¹⁷

¹⁴ *Muhammad*: 25

¹⁵ *Al-Mā'idah*: 51. *Al-'Allāmah* Ibn Hazm (ra) said, “It is correct that this verse is only to be taken literally, meaning that he is a *kāfir* from the group of the *kuffār*; and this is the truth, not even two Muslims will disagree on this issue.” [Refer to *Al-Muhallā* (11/138)].

¹⁶ *An-Nisā'*: 140

¹⁷ *At-Tawbah*: 66

And His Saying,

وَلَقَدْ قَالُوا كَلِمَةَ الْكُفْرِ

“But really they said the word of disbelief.”¹⁸

And remember His (Most High) Saying,

وَلَا يَأْمُرُكُمْ أَنْ تَتَّخِذُوا الْمَلَائِكَةَ وَالنَّبِيِّينَ أَرْبَابًا أَيَأْمُرُكُمْ بِالْكُفْرِ بَعْدَ إِذْ أَنْتُمْ مُسْلِمُونَ

“Nor would he order you to take the Angels and the Prophets as lords (gods). Would he order you with disbelief after you were Muslims (submitted to Allāh's Will)?”¹⁹

And then, also, reflect deeply upon His (Most High) Saying in two places [in the *Qur'ān*]:

وَإِذَا تُلِيَتْ عَلَيْهِمْ آيَاتُنَا بَيِّنَاتٍ تَعْرِفُ فِي وُجُوهِ الَّذِينَ كَفَرُوا الْمُنْكَرَ يَكَادُونَ يَسْنُطُونَ بِالَّذِينَ يَتْلُونَ عَلَيْهِمْ آيَاتِنَا

“And when Our Clear Verses are recited to them, you will notice a denial on the faces of the disbelievers! They are nearly ready to attack with violence those who recite Our Verses to them.”²⁰

And you have already known their condition when they are called to *Tawhīd*.

Completed, and Allāh Knows Best”

– End of the words of *Imām* Hamad Ibn ‘Atīq An-Najdī, may Allāh have mercy upon him.

¹⁸ *At-Tawbah*: 74. “They swear by Allāh that they said nothing (bad), **but really they said the word of disbelief**, and they disbelieved after accepting *Islām*.”

¹⁹ *Āl ‘Imrān*: 80

²⁰ *Al-Hajj*: 72

Will Makkah Return to Being a Land of kufr After the Prophet's Conquest of It?

Question and Answer with *Shaykh Abū Basīr At-Tartūsī* (may Allāh preserve him)

Question:

“There are those who seek to use the *Hadīth*, “No *Hijrah* [emigration] after the Conquest” as evidence that Makkah will not return to being a Land of *kufr*. So how do we combine this usage of this *Hadīth*, if it is valid, with the current situation of Makkah today? And *Jazākum Allāhu Khayran*.

Answer:

All Praise belongs to Allāh, the Lord of the Universe.

There is nothing in the *Hadīth* which implies that Makkah will return to being a Land of *kufr*, nor that it will never return to being a Land of *kufr*.

It only contains that the first *Hijrah* from Makkah to Madīnah has passed for its (i.e. the first *Hijrah*'s) people; and that there is no *Hijrah* after the Conquest of Makkah, from Makkah to Madīnah – because it (i.e. Makkah) had become a Land of *Islām*.

And the fact that it became a Land of *Islām*, does **not** mean that it will be *permanent* with this ruling (of being Land of *Islām*), or that this characteristic will remain with Makkah over all the ages and until the Day of Resurrection. For indeed it has been authentically narrated from the Prophet صلى الله عليه و سلم that he said, “The Hour will not be established until the House (of Allāh) is not made pilgrimage to.” ²¹ And that the Hour will not come, until Al-Lāt and Al-‘Uzzā are worshipped once again. ²²

²¹ Refer to *As-Silsilah As-Sahīhah* (# 2,430), *Shaykh Nāsir Ad-Dīn Al-Albānī* commented, “Its chain is *Sahīh* according to the conditions of Al-Bukhārī and Muslim.” Also refer to *Sahīh Al-Jāmi’* (# 7,419).

²² Refer to *Sahīh Muslim* (# 2,907).

And likewise, it has been established in history that the heretical infidel Qarāmitah ²³ took over Makkah, and governed it with their disbelief and heresy; and they killed the pilgrims of the Sacred House of Allāh, inside the sacred precincts (*Haram*), and buried them within the precincts of the *Masjid*, and also in the Well of ZamZam. And their leader Abū Tāhir Al-Qarmatī ²⁴ – may Allāh curse him – used to say while standing at the door of the *Ka’bah*, while men were being thrown around him inside *Al-Masjid Al-Harām*- while on the Day of Tarwiyah ²⁵:

*“I am Allāh – And in Allāh I am
I created the Creation – And destroy it I shall”*

²³ Al-Qarāmitah: cult founded by Hamdān Ibn Al-Ash’as, labeled with “Qarmat”, originally a Persian Magian, and it is said also he was a Sabian. He had initially entered into the cult of *Al-Bāṭiniyyah Al-Ismā’īliyyah* in the beginning of his life upon the hand of Husayn Al-Ahwāzī (who was the son of the founder of the *Al-Ismā’īlī Al-‘Ubaydī* cult, ‘Abdullāh Ibn Maymūn Ibn Day’ān Al-Qaddāh Al-Yahūdī). He later split off from the *Ismā’īliyyah* creating his own cult in 277 AH. From amongst their evil creed, is that “*Salāt*” means alliance with their *Imām*; “*Hajj*” means visiting him and serving him; “*Siyām*” means keeping away from revealing the secrets of the *Imām*; and “*Zinā*” means revealing his secret without a covenant or permission. They made it permissible to marry sisters, mothers, and daughters; and marrying young boys and sodomy was made permissible by them. And they were the first ones to start the evil tradition of raping women in front of their families. It is also from their creed that “Paradise” is this world and its pleasures, and “Hell” is what the people of prayers, and fasting, and *Jihād*, and *Hajj* go through. They also disbelieved in Prophethood and Resurrection. Some historians believe that the root of their creed is from the Magians, and others believe it is from the materialists. Refer to *Al-Milal Wan-Nihal* of Ash-Shahrastānī, *Al-Farq Bayn Al-Firaq* of ‘Abdul-Qāhir, *Al-Fisal Fī Al-Milal Wal-Ahwā’ Wan-Nihal* of Ibn Hazm, and *Tārīkh Al-Islām* of Ath-Thahabī, from the events of year 281 to 320.

²⁴ He is Sulaymān Abū Tāhir Al-Qarmatī, the Enemy of Allāh, who entered Makkah in the year 317 AH, and killed and enslaved what is recorded by historians as around 30,000 Muslim women and children from amongst the pilgrims and the residents of Makkah. Amongst those who were killed by him, the eminent *Tābi’ī*, ‘Abdur-Rahmān Ibn ‘Abdillāh Ibn Az-Zubayr (ra). After Al-Qarmatī’s death in 331 AH, the governance was split amongst his sons, and the Qarāmitah were severely weakened.

²⁵ The Day of Tarwiyah is the Eighth from Thul-Hijjah from the Days of Hajj.

And the people used to flee from them, and they would hang onto the drapes of the *Ka'bah* (to protect themselves from the Qarāmitah), but that did not benefit them in the least. And this was not sufficient for the Qarāmitah – may Allāh curse them; they even deracinated the Black Stone, and took it with them (to Al-Ahsā') and kept it for 22 years and (only) then they returned it ²⁶; and their story is well recorded and known in the books of History!

So the question is: *Was Makkah, in those days, under the Reign of the Heretic Qarāmitah, a Land of Islām? Or was it a Land of Kufr and Harb?*

The answer is: There is no doubt, nor any disagreement, that it was a Land of Harb and Kufr; and that liberating it from the tyranny and reign of the heretical Qarāmitah was from amongst the most important individual obligations [Fardh Al-'Ayn].

And likewise, were the days in which it (Makkah) was governed by Ash-Sharīf Husayn ²⁷ – puppet of the British... Was it ruled with Islām?

The answer, as everyone knows, is “No”.

And Allāh the Highest is Most Knowledgeable.

²⁶ In the year 339 AH, his sons sold the Black Stone to the *Khalīfah* Al-Mutī' for 50,000 *Dīnār*.

²⁷ He was Ash-Sharīf Husayn Ibn 'Alī, born in Istanbul in 1854. He was initially a viceroy over Hijāz on behalf of the Ottomans beginning in 1908. The British successfully instigated him to revolt against the Ottomans on grounds of racism of Arabs against Turks. He was declared sovereign “King of Hijāz” in 1916. In March 1924 he pronounced himself *Khalīfah*, and in September he was defeated by the *Ikhwān Man Tā'a Allāh*. In October he abdicated, and the British conveyed him to Cyprus, where he lived till 1930. He died in 'Ammān 1931 G.